

Liza M. Walsh
Mariel L. Belanger
Jessica K. Formichella
Lauren R. Malakoff
WALSH PIZZI O'REILLY FALANGA LLP
Three Gateway Center
100 Mulberry Street, 15th Floor
Newark, New Jersey 07102
Tel. (973) 757-1100

Attorneys for Defendant Pfizer Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ARBUTUS BIOPHARMA CORP. and
GENEVANT SCIENCES GMBH,

Plaintiffs,

v.

PFIZER INC. and BIONTECH SE,

Defendants.

Civil Action No. 3:23-cv-01876
(ZNQ-TJB)

**NOTICE OF MOTION
TO SEAL**

Return Date: October 7, 2024

Filed Electronically

PLEASE TAKE NOTICE that on October 7, 2024, or as soon thereafter as counsel may be heard, Defendant Pfizer Inc. ("Pfizer") will appear before the Honorable Tonianne J. Bongiovanni, U.S.M.J., at the United States District Court for the District of New Jersey, Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton, New Jersey, and will move this Court pursuant to Local Civil Rule 5.3(c), for the entry of an Order to Seal certain portions of: (1) Defendants' Letter to the Hon. Tonianne J. Bongiovanni, U.S.M.J., dated July 31, 2024 (D.E. 128); (2) Plaintiffs' Letter to the Hon. Tonianne J. Bongiovanni, U.S.M.J., dated July 31, 2024

(D.E. 129); and (3) Defendants' Letter to the Hon. Tonianne J. Bongiovanni, U.S.M.J., dated August 8, 2024 (D.E. 131).

PLEASE TAKE FURTHER NOTICE that Pfizer shall rely upon the accompanying Declaration of Liza M. Walsh, Proposed Findings of Fact and Conclusions of Law, and all papers submitted herewith.

PLEASE TAKE FURTHER NOTICE that Defendant BioNTech SE does not object to this Motion to Seal and that Plaintiffs object and oppose this motion.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is also submitted for the Court's consideration.

Dated: September 5, 2024

Respectfully submitted,

s/ Liza M. Walsh

Liza M. Walsh

Mariel L. Belanger

Jessica K. Formichella

Lauren R. Malakoff

WALSH PIZZI O'REILLY FALANGA LLP

Three Gateway Center

100 Mulberry Street, 15th Floor

Newark, New Jersey 07102

(973) 757-1100

Of Counsel:

Sara Tonnies Horton (*pro hac vice*)

WILLKIE FARR & GALLAGHER LLP

300 North LaSalle Drive

Chicago, Illinois 60654

(312) 728-9040

Michael W. Johnson, Esq. (*pro hac vice*)
Heather M. Schneider, Esq. (*pro hac vice*)
WILLKIE FARR & GALLAGHER LLP
787 Seventh Avenue
New York, New York 10019
(212) 728-8000

*Attorneys for Defendant/Counterclaimant
Pfizer Inc.*